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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

NATIONAL WILDLIFE FEDERATION, et al.	)	
	)	
Plaintiffs,	)	Civ. No. 01-00640-RE
	)	
v.	)	
	)	
NATIONAL MARINE FISHERIES	)	
SERVICE,	)	ORDER ON MOTIONS
	)	FOR SUMMARY JUDGMENT
Defendant.	)	
	)	

On May 7, 2003, this Court entered its Opinion and Order on all pending motions for summary judgment (docs. 281, 349, 356 and 361) granting Plaintiffs' motion for summary judgment on the claim that the jeopardy conclusion in the 2000 BiOp is arbitrary and capricious, and, denied

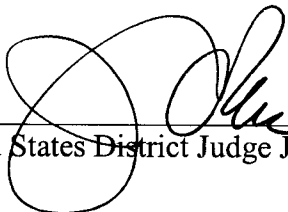
all other claims as moot.

On May 16, 2003, this Court held a conference with all counsel of record to discuss the proceedings to be conducted pursuant to a remand of the 2000 BiOp to Defendant for further proceedings consistent with the Order of May 7, 2003. At that conference all parties agreed that Defendant should be allowed a period of one year in which to address the deficiencies the Court found in the 2000 BiOp in its May 7, 2003, Opinion and Order. Defendant stated that it would make every effort to complete the remand process within that time, but reserved the right to seek additional time if circumstances require such additional time. It was further agreed that Defendant should make quarterly reports to the Court on the status of remand proceedings, and, the Court stated the it would hold a status conference within 10 days of the filing of such quarterly reports. Defendant requested the court to leave the 2000 BiOp in place pending the issuance of a new opinion after the remand was completed. Plaintiffs objected to this request and the court directed Plaintiffs to file a motion setting forth their requested relief within 10 working days of May 7, 2003.

It is therefore, ORDERED, ADJUDGED AND DECREED as follows:

1. The 2000 BiOp that is the subject of this case is hereby remanded to Defendant National Marine Fisheries Service for the reasons stated in the Opinion dated May 7, 2003, for further proceedings not inconsistent with that Opinion and Order. Defendant is granted a period of one year from date of this order in which to complete those remand proceedings. Defendant for good cause shown may request an extension of time to complete such proceedings if circumstances so require.
2. The 2000 BiOp shall remain in effect until further order of this court entered after the Court rules on Plaintiffs' motion to set aside that Opinion.
3. Defendant is ordered to submit a status report to this Court on or before 90 days from the date of this order, and additional status reports each 90 days thereafter until further order of this court.
4. The court will schedule status conferences with the parties within 10 working days after the receipt of such status reports from Defendant.

Signed and Entered this the 2nd Day of June, 2003  
June

  
United States District Judge James A. Redden